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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS HERRERA, et al.

Defendants.

No. CR 08-0730 WHA

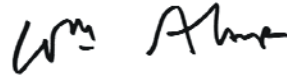
**ORDER DENYING DEFENDANT LUIS
HERRERA'S MOTION TO EXTEND
DEADLINE FOR REPLIES AND
POSTPONE MARCH 15 HEARING**

The third superceding indictment in this matter added three new defendants including Giovanni Hernandez, Danilo Velasquez and Luis Herrera. All previous rulings in this action were ordered to apply to these new defendants unless they filed motions seeking different rulings by January 29, 2010. The hearing on these motions and on all RICO defendants' motions directed at the third superceding indictment was recently continued from March 8 to March 15. Defendant Luis Herrera now moves to extend the deadline for replies in support of the new defendants' motions seeking different rulings from prior rulings, from March 12, 2010, to March 15, 2010, and to postpone the hearing on these motions from March 15 to March 22, 2010. The previous continuance of this hearing from March 8 gave the vast majority of defendants the same amount of time in which to prepare replies as they had before. With respect to the three new defendants, it is true that their reply time has been truncated by three days. However, the Court needs to go ahead with the hearing on March 15, and the time for replies given to all defendants for these motions remains adequate. Defendants may use oral

1 argument at the hearing to buttress their replies to the government's oppositions. For the
2 foregoing reasons, the motion is **DENIED**.

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4 **IT IS SO ORDERED.**

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6 Dated: March 3, 2010.



7 WILLIAM ALSUP
8 UNITED STATES DISTRICT JUDGE
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